

Recreation Realignment Project Objection Period Legal Notice

Opportunity to Object to the Draft Decision Regarding the Recreation Realignment Project

The Big Piney Ranger District of the Ozark St-Francis National Forests has prepared an environmental assessment (EA), draft Decision Notice (DN) and Finding of No Significant Impact (FONSI) for the Recreation Realignment Project. The project would be implemented on National Forest System lands within the boundaries of the following three recreation areas: Haw Creek, Bayou Bluff and Alum Cove.

The proposed project is implementing a portion of the Forest Plan and is subject to the pre-decisional objection process pursuant to 36 CFR 218 Subparts A and B.

The EA and draft DN/FONSI are available on-line at:

<https://www.fs.usda.gov/projects/osfnf/land-management/projects>. Hard copies are available by contacting Mike Mulford, NEPA Coordinator, Big Piney Ranger District, P.O. Box 427, Jasper, AR 72641; (870) 446-5122 ext. 5136. Please leave your name, a daytime telephone number, and a brief message. Your call will be returned during regular business hours (7:30 am to 4:00 pm, Monday through Friday, except federal holidays) or contact via e-mail: michael.mulford@usda.gov.

How to Object and Timeframe

This decision is subject to objection pursuant to 36 CFR 218.8. Objections must meet requirements stated in 36 CFR 218.8(d) in order to be considered. The opportunity to object ends 45 days following the date of publication of the legal notice in Russellville's The Courier (the Big Piney Ranger District's paper of record). The publication date of the legal notice in the newspaper of record is the exclusive means for calculating the time to file an objection, and those wishing to object should not rely upon dates or timeframe information provided by any other source pursuant to Title 36 CFR 218.6 (c). Objections must be filed with: Ozark-St. Francis National Forests, ATTN: Objections Reviewing Officer, 605 West Main, Russellville, AR 72801, 36 CFR 218.3(a). Objections may be faxed to (479) 964-7518. To lessen the possibility for transmission of COVID-19, we will not accept hand-delivered comments until further notice. If you have no way to deliver your written comments except in person, or if you have any questions regarding the objection process, please call (479) 964-7282. Please leave your name, a daytime telephone number, and a brief message. Your call will be returned during our regular business hours (7:30 am to 4:00 pm, Monday through Friday, except federal holidays). Objections may also be mailed electronically in a common digital format to: ozarkobjection@usda.gov. Objections should not be filed with the Responsible Official at the offices in Jasper or Hector.

Who may file an objection?

36 CFR 218.5 (a) Individuals and entities as defined in §218.2 who have submitted timely, specific written comments regarding a proposed project or activity that is subject to these regulations during any designated opportunity for public comment may file an objection. Opportunity for public comment on an EA includes during scoping or any other instance where the responsible official seeks written comments.

Filing an objection

Pursuant to Title 36 CFR 218.8 (a) Objections must be filed with the objections Reviewing Officer in writing. All objections are available for public inspection during and after the objection process.

(b) Incorporation of documents by reference is not allowed, except for the following list of items that may be referenced by including date, page, and section of the cited document, along with a description of its content and applicability to the objection. All other documents must be included with the objection.

1) All or any part of a Federal law or regulation.

2) Forest Service directives and land management plans.

3) Documents referenced by the Forest Service in the proposed project EA or EIS that is subject to objection.

4) Comments previously provided to the Forest Service by the objector during public involvement opportunities for the proposed project where written comments were requested by the responsible official.

(c) Issues raised in objections must be based on previously submitted specific written comments regarding the proposed project or activity and attributed to the objector, unless the issue is based on new information that arose after the opportunities for comment. The burden is on the objector to demonstrate compliance with this requirement for objection issues (see paragraph (d)(6) of this section).

(d) At a minimum, an objection must include the following:

1) (1) Objector's name and address as defined in §218.2, with a telephone number, if available;

2) Signature or other verification of authorship upon request (a scanned signature for electronic mail may be filed with the objection);

3) When multiple names are listed on an objection, identification of the lead objector as defined in §218.2. Verification of the identity of the lead objector must be provided upon request or the reviewing officer will designate a lead objector as provided in §218.5(d);

4) The name of the proposed project, the name and title of the responsible official, and the name(s) of the national forest(s) and/or ranger district(s) on which the proposed project will be implemented;

5) A description of those aspects of the proposed project addressed by the objection, including specific issues related to the proposed project; if applicable, how the objector believes the environmental analysis or draft decision specifically violates law, regulation, or policy; suggested remedies that would resolve the objection; supporting reasons for the reviewing officer to consider; and

6) A statement that demonstrates the connection between prior specific written comments on the particular proposed project or activity and the content of the objection, unless the objection concerns an issue that arose after the designated opportunity(ies) for comment (see paragraph (c) of this section).

Please state "Recreation Realignment" in the subject line when providing electronic objections, or on the envelope when replying by mail.

Implementation Date

Timing of project decision pursuant to Title 36 CFR 218.12

(a) The responsible official may not sign a ROD or DN subject to the provisions of this part until the reviewing officer has responded in writing to all pending objections (see §218.11(b)(1)).

(b) The responsible official may not sign a Record of Decision (ROD) or DN subject to the provisions of this part until all concerns and instructions identified by the reviewing officer in the objection response have been addressed.

(c) When no objection is filed within the objection filing period (see §§218.26 and 218.32):

1) The Reviewing Officer must notify the responsible official.

2) Approval of the proposed project or activity documented in a ROD in accordance with 40CFR 1506.10, or in a DN may occur on, but not before, the fifth business day following the end of the objection filing period.

Further information about this decision can be obtained by leaving a message for Mike Mulford, NEPA Coordinator, at (870) 446-5122 extension 5136 and he will get back to you as soon as possible; or by e-mailing: michael.mulford@usda.gov or by calling Jim Dixon, Integrated Resources Team Leader at 479-518-0436.

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